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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

8 UNITED STATES OF AMERICA,)

9 Plaintiff,)

10 v.)

3:11-CR-139-HDM (WGC)

11 ZACKARY AUSTIN,)

12 Defendant.)

13 **PRELIMINARY ORDER OF FORFEITURE**

14 This Court finds that on July 25, 2012, defendant ZACKARY AUSTIN pled guilty to Count
15 One of a Two-Count Superseding Criminal Indictment charging him with Receipt of Child
16 Pornography, in violation of Title 18, United States Code, Section 2252A(a)(2) and (b).
17 Superseding Indictment, ECF No. 13.

18 This Court finds defendant ZACKARY AUSTIN agreed to the forfeiture of the property set
19 forth in Forfeiture Allegation of the Superseding Criminal Indictment. Superseding Criminal
20 Indictment, ECF No. 13; Plea Memorandum, ECF No. 27.

21 This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America
22 has shown the requisite nexus between property set forth in the Forfeiture Allegation of the
23 Superseding Criminal Indictment and the offense to which defendant ZACKARY AUSTIN pled
24 guilty.

25 The following assets are subject to forfeiture pursuant to Title 18, United States Code, Section
26 2253:

1. Acer Laptop Computer, Model No. 5552 SN LXR44021490512FF491601;
2. 750 Gigabyte Toshiba external hard drive, Serial No. 81UJC54VTMC1;
3. Numerous CDs and DVDs; and
4. any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped, or received in violation of Title 18, United States Code, Section 2252A (“property”).

This Court finds the United States of America is now entitled to, and should, reduce the aforementioned property to the possession of the United States of America.

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the United States of America should seize the aforementioned property.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of ZACKARY AUSTIN in the aforementioned property is forfeited and is vested in the United States of America and shall be safely held by the United States of America until further order of the Court.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America shall publish for at least thirty (30) consecutive days on the official internet government forfeiture website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state the time under the applicable statute when a petition contesting the forfeiture must be filed, and state the name and contact information for the government attorney to be served with the petition, pursuant to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed with the Clerk of the Court, Bruce R. Thompson U.S. Courthouse and Federal Building, 400 South Virginia Street, 3rd Floor, Reno, NV 89501.

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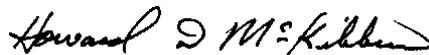
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1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,
2 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the
3 following address at the time of filing:

4 Greg Addington
5 Assistant United States Attorney
6 100 West Liberty Street, Suite 600
7 Reno, NV 89501

8 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein
9 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency
10 following publication of notice of seizure and intent to administratively forfeit the above-described
11 property.

12 DATED this 27th day of July, 2012.

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15 UNITED STATES DISTRICT JUDGE
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